

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

QUINCY R. SLOAN, §  
§  
VS. § CIVIL ACTION NO.4:08-CV-698-Y  
§  
NATHANIEL QUARTERMAN, §  
Director, T.D.C.J. §  
Correctional Institutions Div., §

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

In this action brought by petitioner Quincy R. Sloan under 28 U.S.C. § 2254, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on May 22, 2009; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on June 8, 2009.

The Court, after **de novo** review, concludes that the Petitioner's objections must be overruled, that the motion to dismiss should be granted, and that the petition for writ of habeas corpus should be dismissed, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

The respondent's motion to dismiss (docket no. 19) is GRANTED.

Petitioner Quincy R. Sloan's petition for writ of habeas corpus is DISMISSED WITHOUT PREJUDICE, except as to any application

of the federal statute of limitations or other federal procedural bar that may apply.<sup>1</sup>

SIGNED June 11, 2009.

  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>A one-year statute of limitations is now applicable to the filing of non-capital § 2254 habeas corpus petitions in federal court. See 28 U.S.C.A. § 2244(d)(1-4)(West 2006). The statute of limitations is tolled, however, while a properly filed application for state post-conviction or other collateral review is pending. 28 U.S.C.A. § 2244(d)(2)(West 2006).